

**CITY OF ROCKVILLE PLANNING DIVISION
STAFF REPORT**

April 29, 2002

SUBJECT: Map Amendment No. MAP2002-00075 – 115 Park Avenue

To change the zoning of 115 Park Avenue from O-1 to O-1HD (Historic District) and place it in a historic district.

Location: 115 Park Avenue

Description: LOT 8 AND PART 9, BLOCK 3, THE PARK SUBDIVISION

Size: 11,301 square feet; enclosed area 3,276 square feet

Planning Commission Review Date: May 8, 2002

Mayor and Council Public Hearing Date: June 17, 2002

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission concur that the property is eligible for historic designation and find that such zoning will not present an adverse impact to the planning area or neighborhood. The basic underlying zone and permitted uses will not change, but the owners have applied for demolition of the structure. No use has been proposed for the lot if the structure is demolished.

Planning Area Description

The Spates Bungalow at 115 Park Avenue is located in the Town Center Planning Area, Planning Area One.

The Town Center, Planning Area One, states its goal as creating a "daytime, evening and weekend activity center that is easily identifiable, pedestrian-oriented, and incorporates a mix of uses and activities," the Plan envisions a mix of office, retail and residential uses in the Town Center. The subject parcel is not addressed specifically in the Town Center Master Plan.

The property is currently zoned O-1, Office Building, which is to "Provide office space and complementary services uses and to provide a transition between general commercial and residential uses." The FAR is 3.0 with multi-family units limited to 60 dwelling units per acre (du/ac) or 100 du/ac under the optional method of development. The maximum height is 75 feet. The zone and zoning criteria do not change in the Draft Rockville Town Center Master Plan of May 2001.

Planning Process

The property was nominated for historic district status as a landmark by Peerless Rockville after the property owners applied for demolition of the house in September 2001. The property at 115 Park Avenue is included in the City of Rockville Historic Resources Inventory and was surveyed for the inventory in 1985. It had not been legally designated as a historic site or district. The history listed

the construction date of the house as 1924, well within the 50-year old review date for historic significance when demolition is threatened as required by the Adopted Environmental Guidelines.

The Historic District Commission, property owners, civic organizations, and interested parties were notified by first class mail of the review for significance at the Historic District Commission meeting of October 16, 2001 and the history of the building and the agenda for the meeting were placed on the City's Internet web site. The HDC took testimony and comments on the archeological, architectural, historical, or cultural significance of 115 Park Avenue on October 16 and received several comments during the hearing. Peerless Rockville, Stephen Spencer, Leslie Porter, and Restoration Architect and Contractor Miche Booz all spoke as private citizens in favor of designation. Barbara Sears and Erin Girard of Linowes and Blocher represented the owner, the Betty B. Casey Trust. Ms. Sears spoke in opposition to designation, stating that the building was in derelict condition and not cost effective to renovate and bring up to code. In addition, she stated that the historic significance of the building and its eligibility for the National Register was in question. She requested that the building not be designated. The record closed on November 6, 2001.

On November 20, 2001, the HDC reopened and extended the record to December 3, 2001 to receive more information at the request of the property owner.

At the meeting of December 18, 2001, staff noted that the property owners had submitted a consultant's report in the form of an MHT Historic Sites Survey Form prior to the closing of the record on December 3, 2001. The consultant's report disputed the earlier research and concluded that the property was not eligible for designation. The staff analysis, dated December 18, 2001 and based on testimony and material received prior to the closure of the record on December 3, concurred with the nominator and public that 115 Park Avenue met the criteria for a single site (landmark) Rockville historic site for architectural significance and its association with Mayor Roger Spates. The property owner requested that the record be reopened again to receive testimony from their consultant, Daniel Koski-Karrell.

The HDC voted to reopen the record to hear the owner's consultant and others. Consultant Daniel Koski-Karrell presented his research and a revised Maryland Historical Trust (MHT) form which concluded that the proposed construction date was in error, although both nominator and consultant concur that the house was built in the 1920's. The owner's consultant believes that the house is not an excellent example of a true Craftsman style house and therefore, not eligible for designation. He stated that there were many Rockville houses of this style and era, and that little significance, if any, should be attached to the ownership of Mayor Roger Spates.

Eileen McGuckian, representing Peerless Rockville, stated that Mr. Koski-Karrell had raised some interesting questions, but overall, the popularized craftsman-influenced architecture of the house and its association with Mayor Roger Spates made the site eligible for local City of Rockville designation. The Historic District Commission concurred and voted to recommend 115 Park Avenue to the Mayor and Council as a potential single site historic district on December 18, 2001.

The Mayor and Council directed staff to file a sectional map amendment on their behalf on January 28, 2002.

The HDC is limited to a review of the historic, cultural, archeological or architectural significance by State law. If the HDC finds that the proposed historic district meets the adopted criteria, the HDC recommends that the Mayor and Council consider the site for historic designation.

The Planning Commission review is not limited to historical and architectural significance, but encompasses other planning criteria. The basic underlying zone and use of the property will not change; therefore, staff does not anticipate any changes in conditions or any changes that would affect the Master Plan. If designated, the HDC must approve or deny the application for demolition and any applications for new construction or alterations to the existing structure and mature trees.

Public Outreach

Notices of the Historic District Commission (HDC) evaluation were sent via first class mail to the property owners, citizen's associations, adjacent property owners and other interested parties on September 4, October 9 and November 13, 2001. The site history, photographs of the site and neighborhood, and the agenda for the evaluation meeting were also posted on the city's web page.

Staff Comments

This rezoning was triggered by the filing of a demolition application and is not supported by the owners. Although the property was formerly rented for O-1 use, the size of the property (11,301 square feet), the declining grade slope at the rear, and large specimen trees would make it difficult to redevelop the property to a maximum for the zone. The existing building is 3,276 square feet, substantially less than the maximum permitted under a Floor Area Ratio (FAR) of 3.0, which is about 33,900 square feet. However, the zone has a 75-foot height limit and the lot has little surface area for parking. The lot has several constraints that would need to be considered in a redevelopment plan. The house is located on the front third of the lot and the remaining 2/3 of the lot has a declining grade slope. The rear of the property abuts a 13-foot wide pedestrian right of way (ROW) owned by the City of Rockville, which is identified as LOCUST STREET on the attached tax map. In 1995, the Casey Trust asked for an abandonment of the ROW behind 115 Park Avenue, but the City declined to abandon it. This ROW separates the subject property from an adjacent 1.34-acre undeveloped parcel that fronts on Fleet Street and is owned by Casey Trust.

Designation will allow placement of a historical marker that tells the history and contribution of the property to the County and Rockville's history. The property will also be eligible for the 10% Montgomery County property tax credit, and the 20% State of Maryland income tax credit and 20% federal historic rehabilitation income tax credit, which are calculated on the cost of eligible improvements. It would also be eligible for grants and loans. Any significant changes in material or design of any buildings will be reviewed by the Historic District Commission for compatibility, and any changes must retain, or not adversely impact, the character of the structure(s) and site.

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Attachments

- A. Site Map.
- B. Site topographical map
- C. Maryland Historical Trust Historic Site Inventory Form of 115 Park Avenue, done in 1985.
- D. Revised MHT form prepared by Daniel Koski-Karrell, owner's consultant.

- E. Staff Analysis of Significance Evaluation for 115 Park Avenue.
- F. Statement of Significance



Spates Bungalow –1115 Park Ave.

Subject

115 Park Ave.

Site Map



